

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)
For Design, Provisional, or Utility Applications

PATENT APPLICATION

COMPLETION Under Rule 53(f)

In re **PATENT APPLICATION** of

Inventor(s): Fukuyama et al.

Appln. No.: 10 | 025,973
Series Code ↑ | Serial No. ↑

Attn: Application Division
Atty.Dkt. P 290574 | OL98901N-US
M# | Client Ref

Filed: December 26, 2001
Title: SCANNING OPTICAL MICROSCOPE

Hon. Commissioner of Patents
Washington, DC 20231

Date: April 16, 2002

Sir:

The following **completes the filing** under **Rule 53(f)** of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and
"X" box 2A only if top box of the Declaration is X'd and file application copy, or
"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.

2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
 - a. ☐ Abstract
 - b. # pages of Specification (only spec. & claims)
 - c. ☐ Drawing(s) No of Sheets
 - ☐ Fig(s).

4. ☐ Letter filing formal drawing attached.

5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in Japan

Application No.	Filing Date	Application No.	Filing Date
(1) 2000-394934	December 26, 2000	(2)	
(3)		(4)	
(5)		(6)	

04/18/2002 NHOHAM1 00000062 10025973

05 FEB 2003 1.DOC

110.00 DP

PAT-106 10/01

Completion Under Rule 53(f)

9. (No.) Certified copy (copies): ☐ attached; ☒ previously filed (date) 12/26/01
in U.S. Application No. 10/025,973 filed on 12/26/01

10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)

11. ☐ Attached:

12. ☐ Preliminary Amendment:

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED

				Large/Small Entity		Fe Code
13. Basic Filing Fee Design Application				\$330/\$165		106/26
Not Design Application				\$740/\$370	+740	101/201
14. Total Effective Claims	11	minus 20 =	0	x \$18/\$9	+0	103/203
15. Independent Claims	6	minus 3 =	3	x \$84/\$42	+252	102/202
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$280/\$140	+280	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205
18. FILING FEE ENCLOSED =				\$1402		
19. Original due date: March 28, 2002						
20. Petition is hereby made to extend the original due date to				(1 mo)	\$110/\$55 =	115/215
cover the date this response is filed for which the requisite fee				(2mos)	\$400/\$200 =	116/216
is attached				(3mos)	\$920/\$460 =	117/217
				(4mos)	\$1,440/\$720 =	118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee				\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee.				\$40	+40	581
23. Petition Fee for				\$130	+0	
24. TOTAL FEE ENCLOSED =				\$1552		

Our Deposit Account No. 03-3975

Our Order No. 9523 290574

C#

M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

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McLean, VA 22102
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By Atty: Glenn J. Perry

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Sig: 

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Atty/Sec: gjp /dlh

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachm nts

#3



UNITED STATES PATENT AND TRADEMARK OFFICE

APR 16 2002

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/025,973	12/26/2001	Hiroya Fukuyama	P 290574 0L98901N-US

 00909
 PILLSBURY WINTHROP LLP
 1600 TYSONS BOULEVARD
 MCLEAN, VA 22102

CONFIRMATION NO. 7824

FORMALITIES LETTER



OC000000007377010

Date Mailed: 01/28/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$532.
 - \$252 for 3 independent claims over 3 .
 - \$280 for multiple dependent claim surcharge.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1402.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1));

04/18/2002 MNHAMM1 00000062 10025973

01 FC:101	740.00 OP
02 FC:102	252.00 OP
03 FC:104	280.00 OP
04 FC:105	130.00 OP

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-4202

PART 2 - COPY TO BE RETURNED WITH RESPONSE